

REMARKS

We trust that the Examiner will now find the application to be in condition for allowance and reconsideration is respectfully requested. Claim 1 has been amended in response to the Examiner's objections. A marked up version of the amended claim is included in a section attached hereto. In the marked-up claim, the words between brackets are being removed, and those underlined are being added, which places the amended claims into the form given above. The attached section is captioned **VERSION WITH MARKINGS TO SHOW CHANGES MADE.** It is respectfully submitted that this amendment will require neither a new search nor substantial reconsideration.

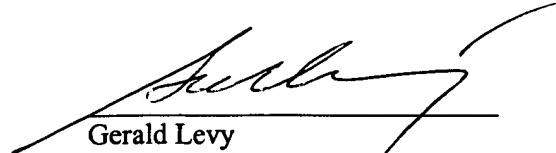
In the Office Action, claims 1-4 were rejected under 35 USC 102(b) as being anticipated by Thomas et al. (U.S. Patent No. 5,713,669). In response, claim 1 has been amended to recite that at least one of said walls and flange portions form a wall segment beyond the attachment line of said wall to its associated flange portion, said segment extending over said profiles' interlocking members to a frangible connection with an opposite one of said walls to provide a tamper-evident feature for said reclosable package. By forming the tamper-evident feature of the reclosable bag with at least one of the walls and the flange portions, the tamper-evident feature may be formed on conventional packaging equipment with little or no modification of the equipment required.

In contrast, the Thomas reference discloses that "first and second upstanding panels 36 and 38" that are "thermally fused" at strips 36a and 38a to the body panels are provided. (See Col. 3, lines 33 – 43). The ends of panels 36 and 38 are joined to provide stops for the zipper slider. The Thomas reference suggests that a tamper-evident feature may be provided by joining the top ends of the upstanding panels together to encapsulate the zipper and slider. In other words, the Thomas package has a tamper-evident feature formed from strips that are different from the package walls or the profile strips, with the separate strips fused to the package walls. This is quite different from amended claim 1 of the present application, which specifically requires that the tamper-evident feature be formed from the package walls or flanges of the profile strips. As a result, the tamper-evident feature of amended claim 1 would not be anticipated by

the cited reference. Claims 2-4, which depend on amended claim 1, also would not be anticipated by the Thomas reference.

In view of the above, it is respectfully submitted that the claims as herein are patentably distinguishable over the prior art and the application is now believed to be in condition for allowance.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "Gerald Levy", is written over a horizontal line.

Gerald Levy
Registration No. 24,419
Pitney, Hardin, Kipp & Szuch LLP
685 Third Avenue
New York, New York 10017
(212) 297-5800

VERSION WITH MARKINGS TO SHOW CHANGES MADE

1. (Amended) A reclosable package having a top, bottom, and sides, said package comprising:
 - a first wall and a second wall opposite to said first wall;
 - a first zipper profile having a first interlocking member and a first flange portion, said first flange portion being attached to said first wall along a line extending substantially from side to side of said package;
 - a second zipper profile having a second interlocking member engageable with said first interlocking member and a second flange portion, said second flange being attached to said second wall along a line extending substantially from side to side of said package; and
 - at least one of said walls and flange portions [including] forming a wall segment beyond the attachment line of said wall to its associated flange portion, said segment extending over said profiles' interlocking members to a frangible connection with an opposite one of said walls to provide a tamper-evident feature for said reclosable package.